

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, February 24, 2009

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 24, 2009, at 3:00 PM. in the Clarkdale Magistrate Courtroom, 49 North Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Jerry Wiley

Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:

Town Manager Gayle Mabery
Public Works Director Steve Burroughs
Police Chief Pat Haynie
Deputy Town Clerk Walt Good

Town Clerk Kathy Bainbridge
Community Development Director Sherry Bailey
Utility Director Wayne Debrosky
Town Attorney Robert Pecharich

CALL TO ORDER at 3:10 PM

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

No public comments.

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A) Reports** - Approval of written Reports from Town Departments and Other Agencies
- Building Permit Report – January 2009
 - Capital Improvement Report – January 2009
 - Magistrate Court Report – January 2009
 - Police Department Report – January 2009
 - Water and Wastewater Report – January 2009
 - Fire District Report and Mutual Aid Responses Report – January 2009
 - Cottonwood Area Transit (CAT) Operations Report – December 2008
 - Verde Valley Humane Society – January 2009

- B) **Resolution Approving The 2010 Federal Appropriations Request For Municipal Wastewater Project** – approval of a resolution to be submitted to Representative Ann Kirkpatrick for project funding.

Resolution # 1289

- C) **Resolution Approving The 2010 Federal Appropriations Request For Municipal Water Projects** – approval of a resolution to be submitted to Representative Ann Kirkpatrick for project funding.

Resolution # 1291

Vice Mayor Wiley moved to accept the consent agenda as presented, motion was seconded by Councilmember Williams. Motion approved unanimously.

NEW BUSINESS

REQUEST FOR REDUCTION OF TOWN FEES FOR THE FESTIVAL OF NATIVE AMERICAN CULTURE – Discussion and consideration of a request from the Clarkdale Chamber of Commerce for a reduction in the Town's Fees for the use of Town Facilities for the Festival of Native American Culture being held June 5, 2009.

Lisa O'Neil made presentation to Council on the Festival of Native American Culture. Council wants to ensure that the Town's cost are totally covered and asked that the full deposit be made, the cost incurred for utilities and any staff time will be deducted from the deposit and the balance returned. It was also requested that the Clarkdale Chamber have the item added to their insurance policy to ensure coverage.

Vice Mayor Wiley moved to charge the Festival of Native American Culture a \$350.00 deposit and any utility use and janitorial charges be deducted from that deposit with balance to be returned. Motion was seconded by Councilmember Williams. Motion approved unanimously.

REQUEST FOR WAIVER OF TOWN FEES FOR OPERATION GRADUATION – Discussion and consideration of a request for waiver of the Town's Fees for the use of Clark Memorial Clubhouse by Operation Graduation on May 21 to May 23, 2009.

Rita Ledbetter made presentation to Council on behalf of Operation Graduation. Council is pleased with the relationship the Town has had with Operation Graduation in the past, but because of the Town's economic pressures the Town must ensure that staff cost and utility cost is covered. Ms. Ledbetter informed Council in past years that Operation Graduation has made a \$500.00 donation to the Town from the balance of donations they have received for support of the event. Knowing that is intent by Operation Graduation to make a donation to the Town that will cover any costs incurred during Operation Graduation.

Councilmember Bohall moved to approve the waiver of Town Fees for Operation Graduation, motion was seconded by Councilmember Dehnert. Motion approved unanimously.

REAL PROPERTY TRANSFER AGREEMENT ON THE WASTEWATER TREATMENT PROPERTY ALSO KNOWN AS THE 'FISHER HOUSE' – Discussion and possible acceptance of a real property transfer agreement between Freeport-McMoRan (formally Phelps Dodge Corporation) and the Town of Clarkdale on the Wastewater Treatment Property.

Town Attorney Pecharich explained the real property transfer agreement for the Fisher Property. The attorney recommended the Town have a Title Search done while the property is in escrow.

Councilmember Williams moved to approve the real property transfer agreement for the Fisher House Property with the change on Page 2 Section 2B revising the date from March 1, 2009 to April 1, 2009, seconded by Vice Mayor Wiley. Motion approved unanimously.

Town Attorney Robert Pecharich requested to be excused from the meeting. Mayor Von Gausig excused him.

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, CREATING A GENERAL PLAN UPDATE COMMITTEE AND APPROVING APPOINTMENTS TO THE GENERAL PLAN UPDATE COMMITTEE OF THE TOWN OF CLARKDALE - Discussion and consideration of Resolution # _____, creating a General Plan Update Committee and approving appointments to the General Plan Update Committee.

Resolution # 1291

Community Development Director Bailey explained the General Plan process through Phase One and that the Town is now moving into Phase Two of the process and that this phase should take eight (8) to eleven (11) months. The intent of this process is to be as open and inclusive of the residents of the Town as possible.

Vice Mayor Wiley moved to approve the resolution creating the General Plan Update Committee and appointing the persons listed to that committee, seconded by Councilmember Williams. Approved unanimously.

WORKSESSION ON TOWN OF CLARKDALE SEWER FEE RATES – A worksession and direction to staff for the possible revision of the Town's sewer fee rate.

Utility Director Debrosky presented Council with the reasons for a rate increase on the Wastewater Enterprise Account and the timeline that he would like to follow. The Mayor asked why the increase was set to occur over two years instead of all at once and if the staging of the increase would protect the Town and ensure that there is enough money for this year and next year. Council asked that this information be brought to Council at the March 10, 2009 meeting.

This is a worksession only and no action was taken.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.

ADJOURNMENT 4:14 PM

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk